

Stephen M. Dichter, 004043  
[sdichter@cdslawfirm.com](mailto:sdichter@cdslawfirm.com)  
Jill Ann Herman, 020180  
[jherman@cdslawfirm.com](mailto:jherman@cdslawfirm.com)  
Iulia A. Taranu, 034458  
[itaranu@cdslawfirm.com](mailto:itaranu@cdslawfirm.com)  
CHRISTIAN DICHTER & SLUGA, P.C.  
2800 North Central Avenue, Suite 860  
Phoenix, Arizona 85004  
Telephone: (602) 792-1700  
Facsimile: (602) 792-1710

Attorneys for Defendant David Harbour

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

United States of America,  
  
Plaintiff,

vs.

David Allen Harbour,  
  
Defendant.

Case No. 2:19-cr-00898-DLR (DMF)

**NOTICE OF FILING TRANSCRIPT  
REGARDING AUDIO CLIPPINGS**

Pursuant to the Court's instructions at the June 16, 2022 evidentiary hearing, Defendant hereby this day files a transcript (attached) regarding exhibits 88-95 of the audio clippings as follows:

- Exhibit 88 1. Call #239560820 on January 15, 2022. Time stamp 3.52 – 4.14
- Exhibit 89 2. Call #238667006 on December 30, 2021. Time stamp 2.48-3.16
- Exhibit 90 3. Call #238391956 on December 25, 2021. Time stamp 3.05-3.40
- Exhibit 91 4. Call #239864826 on January 20, 2022. Time stamp 11.45-12.16
- Exhibit 92 5. Call #238164688 on December 21, 2021. Time stamp 6.18-7.30
- Exhibit 93 6. Call #238149018 on December 21, 2021. Time stamp 2.04-4.26
- Exhibit 94 7. Call #239130952 on January 7, 2022. Time stamp 7.00-7.49
- Exhibit 95 8. Call #238164688 on December 21, 2021. Time stamp 3.15-4.05

RESPECTFULLY SUBMITTED this 22<sup>nd</sup> day of June 2022.

CHRISTIAN DICHTER & SLUGA, P.C.

By: /s/ Stephen M. Dichter

Stephen M. Dichter

Jill Ann Herman

Iulia A. Taranu

2800 North Central Avenue, Suite 860

Phoenix, Arizona 85004

Attorneys for Defendant David A. Harbour

**CERTIFICATE OF SERVICE**

I hereby certify that on June 22, 2022 I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and for transmittal of Notice of Electronic Filing to the following CM/ECF registrants:

Kevin M. Rapp

[Kevin.rapp@usdoj.gov](mailto:Kevin.rapp@usdoj.gov)

Coleen Schoch

[Coleen.schoch@usdoj.gov](mailto:Coleen.schoch@usdoj.gov)

U.S. Attorney's Office

40 N. Central Avenue, Suite 1800

Phoenix, AZ 85004

Attorney for Plaintiff

Gerald Krovatin

[gkrovatin@krovatin.com](mailto:gkrovatin@krovatin.com)

Kovatin Nau

60 Park Pl., Ste. 1100

Newark, NJ 07102

Zachary Ryan Fort

[zfort@clarkhill.com](mailto:zfort@clarkhill.com)

Clark Hill PLC

14850 N. Scottsdale Rd., Ste. 500

Scottsdale, AZ 85254

/s/ Yvonne Canez

Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICAN,	)	Case No.
	)	2:19-cr-00898-DLR (DMF)
Plaintiff,	)	
	)	
vs.	)	
	)	
DAVID ALLEN HARBOUR,	)	
	)	
Defendant.	)	
_____	)	

REPORTER'S TRANSCRIPT OF RECORDED  
TELEPHONIC CONVERSATIONS BETWEEN  
DAVID HARBOUR AND BART SHEA

Glennie Reporting Services, LLC  
1555 East Oranewood Avenue  
Phoenix, Arizona 85020-5130

602.266.6535  
www.glennie-reporting.com

Prepared by:  
Jennifer Honn, RPR  
Arizona CR No. 50885

## Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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**Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022**

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1                   REPORTER'S TRANSCRIPT OF ELECTRONIC PROCEEDINGS,  
2   TELEPHONIC CONVERSATIONS BETWEEN DAVID HARBOUR AND BART  
3   SHEA, was reported from electronic media by JENNIFER HONN,  
4   Registered Professional Reporter and a Certified Reporter  
5   in and for the State of Arizona.

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 Call #239560820 on January 15, 2022, Exhibit 88

2 (Beginning of recording.)

3 BART SHEA: -- you got fucking into all  
4 them. Bailey's going, "I don't know. Let's get together.  
5 We'll talk about it." And, hey, David, I don't have a  
6 game plan. Today I owe fucking Schwan 400. 1.6 to Daryl.  
7 Everything -- well, they're all capitalized inside the  
8 fucking stock, but --

9 DAVID HARBOUR: Okay.

10 BART SHEA: -- but I know how that's going  
11 to work --

12 (End of recording.)

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 Call #238667006 on December 30, 2021, Exhibit 89

2 (Beginning of recording.)

3 DAVID HARBOUR: Yeah.

4 BART SHEA: So --

5 DAVID HARBOUR: Okay.

6 BART SHEA: And then it's everyone's going  
7 to be pretty much shut down till next year, so --

8 DAVID HARBOUR: Anything I can do today to  
9 help (indiscernible) the job site?

10 BART SHEA: Get your dumb ass out of there  
11 and get back to work.

12 DAVID HARBOUR: Yeah. Yeah. Well, I need  
13 your help on that.

14 BART SHEA: Going to do everything I can do.

15 DAVID HARBOUR: I know you are.

16 (End of recording.)

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 Call #238391956 on December 25, 2021, Exhibit 90

2 (Beginning of recording.)

3 DAVID HARBOUR: -- crazy so -- but I just  
4 wanted to call. Tell Sheryl, tell Katie, tell --

5 BART SHEA: I will.

6 DAVID HARBOUR: -- (indiscernible) everybody  
7 Merry Christmas from me. Tell them all thank you. Some  
8 of them sorry you --

9 BART SHEA: I will.

10 DAVID HARBOUR: -- had to (indiscernible)  
11 early. And I just appreciate everybody. Tell them that I  
12 appreciate them.

13 BART SHEA: I -- I ain't going to apologize  
14 to nobody for that.

15 No, I need your ass back to work.

16 DAVID HARBOUR: I know. That's -- that's  
17 the plan.

18 BART SHEA: I don't -- I don't need you  
19 sitting in fucking jail for over stupid shit.

20 DAVID HARBOUR: I appreciate that. Well --  
21 (End of recording.)

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1 Call #239864826 on January 20, 2022, Exhibit 91

2 (Beginning of recording.)

3 BART SHEA: And then Ab's working on  
4 backstage.

5 DAVID HARBOUR: Okay.

6 BART SHEA: But (indiscernible) --

7 DAVID HARBOUR: Yeah.

8 BART SHEA: -- not sure she's going to get  
9 it. So give her a big assist on that if you can.

10 DAVID HARBOUR: I will. I will. Yep,  
11 I'll --

12 Wait, it's February 11; right?

13 BART SHEA: February 12.

14 DAVID HARBOUR: Yeah, let's hope I'm out on  
15 February 4th.

16 BART SHEA: (Indiscernible.)

17 DAVID HARBOUR: (Indiscernible.)

18 BART SHEA: I hope you're out on February 4.  
19 You got a fucking ton of work to do, dumbass.

20 DAVID HARBOUR: I know --

21 (End of recording.)

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 Call #238164688 on December 21, 2021, Exhibit 92

2 (Beginning of recording.)

3 BART SHEA: -- everyone was working.

4 DAVID HARBOUR: Yeah. But my thing was,  
5 like, the whole plan was --

6 BART SHEA: The funny -- the funny thing  
7 was -- the funny thing for me is so, yeah, but why do we  
8 let Harbour live in it? I went, "Do you realize what  
9 happens to vacant houses?" Fuck, they steal all the  
10 plumbing out of them.

11 DAVID HARBOUR: Right.

12 BART SHEA: They steal the copper out of  
13 them. They steal the goddamn electric wires out of them.

14 DAVID HARBOUR: And, by the way --

15 BART SHEA: (Indiscernible) important to  
16 live in them --

17 DAVID HARBOUR: -- care about my wife and  
18 kids.

19 BART SHEA: -- to fucking turn a buck.  
20 Yeah.

21 DAVID HARBOUR: And they live close to their  
22 school.

23 BART SHEA: Well, yeah, they do, but that's  
24 not -- the function of having to fucking replace, over the  
25 last 40 years, every air conditioner that was on a vacant

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1 house because they steal the fucking three feet of copper.  
2 Jesus Christ. (Indiscernible.)

3 DAVID HARBOUR: Well, remember, even before  
4 we moved in after you closed, we found a T-shirt in the  
5 guesthouse. We found a pair of panties in the bathroom in  
6 the guesthouse.

7 BART SHEA: Yeah.

8 DAVID HARBOUR: The high school kids will  
9 remember.

10 BART SHEA: It doesn't matter. You don't  
11 fucking leave vacant houses. They fucking get destroyed.

12 DAVID HARBOUR: Right. Well, good. Well,  
13 I'm -- I'm in good spirits. I was just thankful today  
14 that that's what his argument is because -- yes. So we'll  
15 figure it out. And --

16 (End of recording.)

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 Call #238149018 on December 21, 2021, Exhibit 93

2 (Beginning of recording.)

3 RECORDED VOICE: You may begin speaking now.

4 DAVID HARBOUR: Hello, hello.

5 BART SHEA: Hello.

6 DAVID HARBOUR: Okay. It was not as bad as  
7 I thought. I'm hear -- we have a hearing on the 29th. I  
8 wish you were back sooner, but that's okay. You will --  
9 you will be needed. Ashley will be probably calling you.  
10 So --

11 BART SHEA: Figures.

12 DAVID HARBOUR: Well, they're -- they're --  
13 they brought the house up, and, you know, Ashley is going  
14 to tell them it's your house, you did it, you bought it,  
15 you did it. Yes, Bob (indiscernible) might have put money  
16 in, but was it a gift; was it a loan? Who knows? We  
17 don't know. Look at the documents. And we'll get all  
18 that to her. But at the end of the day, you are on the  
19 hook for the house. Not me, not Abby, nobody else.

20 BART SHEA: Yeah.

21 DAVID HARBOUR: So -- so -- and --

22 BART SHEA: That's their fucking strong  
23 suit?

24 DAVID HARBOUR: That's one of them. One of  
25 the -- yeah. It's -- it's -- it's -- I'm okay. I'm

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1 just -- I don't want to talk on the phone because they're  
2 recording it and Rapp will do whatever he can to get me,  
3 but I am okay. I feel okay. Let's put it that way.

4 So, but, yeah, I just -- I will give Ashley  
5 your cell phone number. So maybe Georgie can help her  
6 while you're gone. Is she in this week?

7 BART SHEA: Yeah.

8 DAVID HARBOUR: Okay. Okay.

9 BART SHEA: She can send all the texts and  
10 all the wire transfers and --

11 DAVID HARBOUR: Exactly.

12 BART SHEA: -- the bank accounts, and  
13 (indiscernible.)

14 DAVID HARBOUR: You know anything about --

15 BART SHEA: (Indiscernible) I had to pay  
16 the -- I had to pay the gas payment because that was going  
17 to disconnect, so I just paid the gas. I mean,  
18 (indiscernible) kind of think that it's my house. I kind  
19 of think my name's on it. I think (indiscernible) it  
20 comes to my address. I kind of think that (indiscernible)  
21 what it is and what it is.

22 DAVID HARBOUR: Yeah.

23 BART SHEA: We're going to remodel it.  
24 You're getting to live there until the remodel's done  
25 because it's better to have somebody living in a remodel

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1 as opposed to leaving it a vacant house it'll get fucking  
2 stolen (indiscernible) --

3 DAVID HARBOUR: Yeah.

4 BART SHEA: Especially in that neighborhood.

5 DAVID HARBOUR: So -- yeah.

6 BART SHEA: So, I mean, it's not -- it's not  
7 a question. I mean, it's -- this isn't even a fucking  
8 gray area.

9 DAVID HARBOUR: I know. So we'll --  
10 that's -- that's -- that's one. And then, yeah, there's a  
11 few more, but it's okay. How do --

12 (End of recording.)

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Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

13

1 Call #239130952 on January 7, 2022, Exhibit 94  
2 (Beginning of recording.)

3 DAVID HARBOUR: If you have a chance today  
4 to talk to Abby at all, you might just pop  
5 (indiscernible.) I talked to her a little bit ago. She's  
6 feeling kind of down. I don't know why, but --

7 BART SHEA: She just spent an hour here.

8 DAVID HARBOUR: Oh, she did? Oh.

9 BART SHEA: Uh-huh. So, David, why are you  
10 paying the alarm bill on my house? David, why are you  
11 paying the fucking landscape bill on my house? Don't give  
12 me that shit. That's part of my fucking expenses.

13 DAVID HARBOUR: Oh, well. (Indiscernible)  
14 to live there for free. We can at least pay for some of  
15 the bills.

16 BART SHEA: Yeah, but, again --

17 DAVID HARBOUR: I know. Thank you.

18 BART SHEA: (Indiscernible) bills, but it  
19 doesn't make any fucking difference.

20 DAVID HARBOUR: I appreciate that.

21 BART SHEA: If they're tacking the  
22 improvements on the fucking assets, I got to pay for them.

23 DAVID HARBOUR: That's true.

24 (End of recording.)  
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1 Call #238164688 on December 21, 2021, Exhibit 95

2 (Beginning of recording.)

3 BART SHEA: -- a problem, tell me what you  
4 think is going to fix it.

5 DAVID HARBOUR: Yeah. And so I didn't know  
6 until today what they were saying, what they were accusing  
7 me of.

8 BART SHEA: I didn't know either. I don't  
9 think anyone knew. I don't think they even  
10 (indiscernible) till this morning.

11 DAVID HARBOUR: Right. And so it's, like,  
12 okay, now I know. And it's whatever. So I can now deal  
13 with that.

14 BART SHEA: I got to tell you -- I got to  
15 tell you. It doesn't really matter if this -- I laughed.

16 DAVID HARBOUR: I --

17 BART SHEA: So I said, "Well, do you realize  
18 that nobody, and I mean fucking nobody, has even called me  
19 and asked me about the house?"

20 DAVID HARBOUR: Exactly.

21 BART SHEA: I go -- I go -- (indiscernible),  
22 you know. And I go, "I don't really give a shit about you  
23 know what." I says I've been audited by Prudential. I've  
24 been audited by every --

25 (End of recording.)



## Reporter's Transcript of Recorded Telephonic Conversation - 06/21/2022

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1 STATE OF ARIZONA )  
 )  
 2 COUNTY OF MARICOPA )

3 BE IT KNOWN that the foregoing proceedings  
 4 are a full, true and accurate record of the previously  
 5 recorded proceedings, all done to the best of my skill and  
 ability; that the proceedings were transcribed and reduced  
 to print under my direction.

6 I CERTIFY that I am in no way related to any  
 7 of the parties hereto nor am I in any way interested in  
 the outcome hereof.

8 [ ] Review and signature was requested.  
 [ ] Review and signature was waived.  
 9 [X] Review and signature not required.  
 [ ] Review and signature was requested, but  
 10 did not do so within 30 days after notification.

11 I CERTIFY that I have complied with the  
 12 ethical obligations set forth in ACJA 7-206(F)(3) and ACJA  
 7-206 J(1)(g)(1) and (2).

13 Dated at Phoenix, Arizona, this 20th day of  
 14 June, 2022.

  
 /s

15  
 16 Jennifer Honn  
 17 Certified Reporter  
 Arizona CR No. 50885

18  
 19 I CERTIFY that GLENNIE REPORTING SERVICES,  
 20 L hical obligations set forth  
 i

21  
 22  
 23 

24 GLENNIE REPORTING SERVICES, LLC  
 Registered Reporting Firm  
 25 Arizona RRF No. R1035